

**STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION**

Meeting of Panel A
March 27, 2013
9:00 a.m.

Lincoln Land Training Center
130 West Mason
Room 104
Springfield, IL 62702

and

James R. Thompson Center
Murdock Room - DHS
100 W. Randolph Street, Suite 5-300
Chicago, Illinois 60601

MINUTES

Present:	Commissioners	Marti Baricevic (Panel Chair) Terry Cosgrove Patricia Bakalis Yadgir
	Staff	Donyelle L. Gray Evelio Mora Bricia Herrera
	Public	None

I. Call to Order.

A meeting of Human Rights Commission Panel A was called to order on March 27, 2013 at 9:00 a.m. by Panel Chair, Commissioner Baricevic.

Pursuant to the Illinois Open Meetings Act, 5 ILCS 120/1 et seq., it was determined that:

- 1) A quorum of the public body was present at the meeting.

II. Consideration of Minutes.

The minutes of the meeting of January 30, 2013, were approved as submitted by staff. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

III. Contested matters

- A) *Carolyn Griffin vs. Bank One, n/k/a JP Morgan Chase Bank, N.A.*
Charge No.: 2001CF1932 ALS No.: 11865

Pending before the Panel were the Complainant's exceptions to the ALJ's Recommended Order and Decision ("ROD"). The Panel voted to decline review of the ROD and voted to adopt the ROD as the final Order and Decision of the Commission. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

- B) *Tracey M. Gragg v. Wendy's Restaurant*
Charge No.: 2009SF0670 ALS No.: 09-0519

Pending before the Panel were the Complainant's exceptions to the ALJ's Recommended Order and Decision ("ROD"). The Panel voted to decline review of the ROD and voted to adopt the ROD as the final Order and Decision of the Commission. Motion made by Commissioner Cosgrove, seconded by Commissioner Baricevic. Motion carried 3-0.

IV. Requests for Review

- A) *Dorothy Nicholas v. Bank of America*
Charge No.: 2010CA1657 ALS No.: 11-0621

The Panel vacated Counts A, B and C of the Complainant's charge and remanded Counts A, B and C to the Department for further investigation. The Panel sustained the dismissal of Count D of the Complainant's charge for Lack of Lack of Jurisdiction. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

- B) *Orvin Flowers v. Foley Cadillac*
Charge No.: 2010CF0430 ALS No.: 11-0624

The Panel vacated Count A of the Complainant's charge and remanded Count A to the Department for further investigation. The Panel sustained the dismissal Counts B and C of the Complainant's charge for Lack of Substantial Evidence. Motion made by Commissioner Yadgir, seconded by Commissioner Cosgrove. Motion carried 3-0.

- C) *Elizabeth Margaritis v. 95th Produce Market*
Charge No.: 2011CN0600 ALS No.: 11-0641

The Panel vacated Counts I, J, K and L of the Complainant's charge and remanded Counts I, J, K and L to the Department for further investigation. The Panel sustained the

dismissal of Counts A, B, C, D, F, G and H of the Complainant's charge for Lack of Jurisdiction. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

D) Linda Walton v. Manchester Tank and Equipment Company, Inc.

Charge No.: 2011SF1988 ALS No.: 11-0666

The Panel vacated Count B of the Complainant's charge and entered a finding of Substantial Evidence. The Panel sustained the dismissal of Counts A and C of the Complainant's charge for Lack of Substantial Evidence. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

E) Courtney Howard v. World Security Bureau, Inc.

Charge No.: 2011CF1003 ALS No.: 11-0679

The Panel vacated Count A of the Complainant's charge and remanded Count A to the Department for further investigation. The Panel sustained the dismissal of Count B of the Complainant's charge for Lack of Substantial Evidence. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

F) Rocio Herrera-Alvarez v. City of Chicago Board of Education

Charge No.: 2010CA4326 ALS No.: 11-0758

The Panel vacated Count A of the Complainant's charge and remanded Count A to the Department for further investigation. The Panel sustained the dismissal of Counts B and C of the Complainant's charge for Lack of Substantial Evidence. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

IV. Petitions for Default

A) Anneice Perry v. 67th One Stop Food & Liquor, Inc.

Charge No.: 2012CN2280 ALS No.: 13-0082

The Panel voted to grant the Petition in the above-referenced matter. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

B) Quadretta Barrett v. Maurice Nelson

Charge No.: 2012CN3217 ALS No.: 13-0084

The Panel voted to grant the Petition in the above-referenced matter. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

V. Motion to for Extension of Time to File a Request for Review and for Leave to File in Excess of 30 pages.

Chiquita Newell v. Alden Village Health Facility for Children and Young Adults, Inc.
Charge No.: 2012CR3939 ALS No.: 13-0083

The Panel granted the Motion in the above-referenced matter. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

VI. Motion for Leave to File Exhibit in Support of Request for Review

*Dante Whisenton v. Northeast Illinois Regional Commuter Railroad Corporation
d/b/a Metra/Metropolitan Rail*
Charge No.: 2011CN0808 ALS No.: 12-0673

The Panel denied the Motion in the above-referenced matter. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

VII. Motion for Leave to File Newly Discovered Evidence in Support of Request for Review

*Dante Whisenton v. Northeast Illinois Regional Commuter Railroad Corporation
d/b/a Metra/Metropolitan Rail*
Charge No.: 2011CN0808 ALS No.: 12-0673

The Panel denied the Motion in the above-referenced matter. Motion made by Commissioner Yadgir, seconded by Commissioner Cosgrove. Motion carried 3-0.

VIII. Motion for Leave to Withdraw Department's Response to Complainant's Request for Review Dated December 18, 2012 and Re-File Department's Instant Response to Complainant's Request for Review Instantly and Nunc Pro Tunc.

*Dante Whisenton v. Northeast Illinois Regional Commuter Railroad Corporation
d/b/a Metra/Metropolitan Rail*
Charge No.: 2011CN0808 ALS No.: 12-0673

The Panel granted the Motion in the above-referenced matter. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

IX. Complainant's Motion for Voluntary Dismissal

Bernice Flemings v. East Lake Management Group, Inc.
Charge No.: 2003CF2943 ALS No.: 05-054

The Panel granted the Motion in the above-referenced matter. Motion made by Commissioner Cosgrove, seconded by Commissioner Yadgir. Motion carried 3-0.

X. Settlements

DHR#	Complainant	Respondent
1. 2013CA0040	P. Statkiewicz	Midwest Orthopaedics
2. 2013SH1180	S. Haake	Quality Housing, LLC
3. 2013CH1024	R. Mancino	MJM Management LLC
4. 2013SH1147	M. Jansen	Quality Housing, LLC
5. 2013CH0490	M. Diaz	Cicero Housing Authority

The Panel voted to approve settlements 1 and 5 in the above-referenced matters. Motion made by Commissioner Yadgir, seconded by Commissioner Cosgrove. Motion carried 3-0.

XI. Adjournment

The meeting was adjourned at 9:46 a.m. Motion made by Commissioner Baricevic, seconded by Commissioner Yadgir. Motion carried 3-0.

Respectfully submitted,

Donyelle L. Gray
General Counsel